

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

UNITED STATES OF AMERICA

v.

Criminal No. 07-189-GZS

DANIEL RILEY,
Defendant

ORDER

Before the Court is Defendant Daniel Riley's Motion to proceed as his own counsel. (Docket # 30.) Due to the lack of cooperation by Mr. Riley, the Court is unable to make the determination that Mr. Riley is waiving his Sixth Amendment right to counsel knowingly, voluntarily and intelligently. See United States v. Proctor, 166 F.3d 396, 401 (1st Cir. 1999). Therefore, the Court DENIES WITHOUT PREJUDICE Mr. Riley's Motion to proceed as his own counsel. Mr. Riley is free to raise his Motion again. A copy of this Order is to be mailed directly to Mr. Riley.

/s/ George Z. Singal
Chief United States District Judge

Dated this 26th day of October, 2007.